

REMARKS

Claims 1-12 are pending; claim 12 is withdrawn; claims 1-3, 6, 10 and 11 are rejected; and claims 4, 5 and 7-9 are allowed in this application.

Responsive to the rejection of claims 1-3 and 10 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,599,376 (Smith), Applicants respectfully traverse the rejection, and submit that claims 1-3 and 10 are in condition for allowance.

Smith discloses a machine for making fiber composition including a carrier member 8 passing over two idling rollers 9 disposed beneath tank 4, over a pulley 10 disposed at the rear end of tank 4, over a submerged pulley 11, through a horizontal plane 12 disposed in proximity to bottom member 4, under a second submerged pulley 13, through an inclined plane 14, and is disposed in proximity to inclined side wall 5 (page 1, lines 54-63). The inclination of belt 17 between pulleys 18 and 13 aid in causing settling of the fibers on belt 8 in plane 12 (page 1, line 109 through page 2, line 3).

In contrast, claim 1 recites in part:

two revolving continuous wires including a top wire and a bottom wire ... being proximate to each other over a substantially vertical segment ...; [and]

a turning element proximate an upper portion of said vertical segment ... said turning element being substantially smooth;

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Smith or any of the other cited references, alone or in combination and includes distinct advantages thereover.

Smith discloses a machine for making fiber composition having a carrier member that goes through an inclined plane. The inclined plane of Smith is not substantially vertical as can be seen in the figures thereof. A substantially vertical wire would be contrary to the teaching of Smith, which teaches that belt 17 is inclined and is disposed in proximity to inclined side wall 5.

Further, Smith does not teach a smooth turning element proximate to a vertical segment. Therefore, Smith and any of the other cited references, alone or in combination fail to disclose, teach or suggest two revolving continuous wires proximate to each other over a substantially vertical segment and a turning element proximate an upper portion of the vertical segment, the turning element being substantially smooth, as recited in claim 1.

An advantage of Applicants' invention is that a smooth turning roll is less expensive to incorporate into a papermaking apparatus than a non-smooth roll. Another advantage of Applicants' invention is that the vertical segment allows a more compact machine than one that takes additional floor space. A further advantage of Applicants' invention is that the dry content of the forming web is further increased utilizing Applicants' invention, since there is increased dewatering of the web along the vertical segment on both sides prior to reaching the turning element. For the foregoing reasons, Applicants submit that claim 1 and claims 2, 3 and 10 depending therefrom, are in condition for allowance, which is hereby respectfully requested.

Claim 6 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Smith. However, claim 6 depends from claim 1, and claim 1 is in condition for allowance for the reasons given above. Accordingly, Applicants submit that claim 6 is in condition for allowance, which is hereby respectfully requested.

Claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Smith in view of U.S. Patent No. 5,395,484 (Odell et al.). However, claim 11 depends from claim 1, and claim 1 is in condition for allowance for the reasons given above. Accordingly, Applicants submit that claim 11 is in condition for allowance, which is hereby respectfully requested.

Applicants thank the Examiner for the indication of allowance of claims 4, 5 and 7-9.

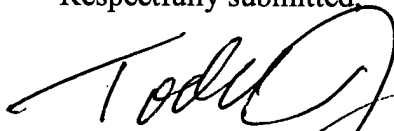
For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are

therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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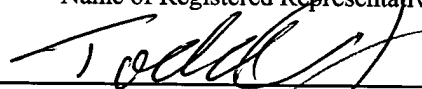
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: February 22, 2005.

Todd T. Taylor, Reg. No. 36,945

Name of Registered Representative



Signature

February 22, 2005

Date